

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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A.E. a minor child, by her parents
and legal guardians Kimberly Ann
Eckman and Stuart Eckman,

Plaintiff,

vs.

ORDER

North Country Health Services,
doing business as North Country
Regional Hospital, MeritCare Medical
Group, a foreign corporation, also
known as Meritcare Health System,
also known as MeritCare Clinic
Bemidji, Diane M. Pittman, M.D.,
and Mark E. Colliton, M.D.,

Defendants.

Civ. No. 09-1766 (JNE/RLE)

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Based upon the Report and Recommendation of United States Magistrate Judge Raymond
L. Erickson, and after an independent review of the files, records and proceedings in the above-
entitled matter, it is --

ORDERED:

1. That the Plaintiffs' Motion to Remand [Docket No. 12] is denied.
2. That the Motion of the Defendant Diane M. Pittman, M.D., to Substitute and Dismiss
[Docket No. 23] is granted.

3. That the Motion of the Defendant United States of America to Dismiss [Docket No. 30] is granted.

4. That, upon the dismissal of the claims against the Defendant United States of America, the remaining State law claims are remanded to the Minnesota District Court for Beltrami County, Minnesota, pursuant to Title 8 U.S.C. §1367(c)(3).

BY THE COURT:

DATED: December 14, 2009

s/ Joan N. Ericksen
Judge Joan N. Ericksen
United States District Court